

# **EXHIBIT 10**

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

STATE OF NEW YORK, *et al.*,

Plaintiffs,

v.

LINDA McMAHON, *et al.*,

Defendants.

C.A. No. 1:25-cv-10601

**SUPPLEMENTAL DECLARATION  
OF SHAYLA HAMLIN**

**SUPPLEMENTAL DECLARATION OF SHAYLA HAMLIN**

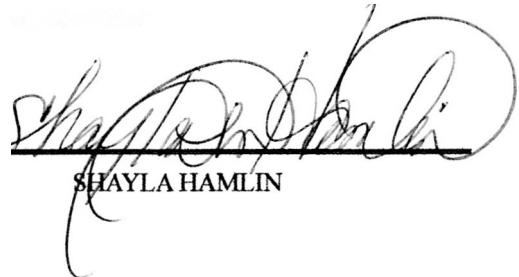
Pursuant to 28 U.S.C. § 1746, I, Shayla Hamlin, declare as follows:

1. I am a resident of New York. I am over the age of 18 and have personal knowledge of all the facts stated herein. If called as a witness, I could and would testify competently to the matters set forth below.
2. This declaration is submitted in support of the States' Request for a Preliminary Injunction. It supplements the declaration I previously provided in Exhibit 51 to Plaintiffs' Memorandum of Law in Support of Plaintiffs' Motion for a Preliminary Injunction, ECF No. 70.
3. On April 10, 2025, I received an email from Jacqueline Clay, Chief Human Capital Officer at the Department of Education, attaching an "official Reduction in Force (RIF) Notice and associated documents." A true and accurate copy of this email and its attachments are annexed hereto as **Exhibit 1**.

4. The Memorandum in Exhibit 1 informed me that I was subject to the formal RIF which would be effective on June 10, 2025. It listed my competitive area as the Multi-Regional and Foreign School Participation Division (MRFSPD) within the Federal Student Aid (FSA)

Office. Because I understand that everyone within MRFSPD has been subject to the RIF, I have no way of asserting my rights to “bump” or “retreat” with other staff in my competitive area.

Executed on April 14, 2025 in New York, New York.



A handwritten signature in black ink, appearing to read "Shayla Hamlin", is written over a horizontal line. Below the signature, the name "SHAYLA HAMLIN" is printed in a smaller, sans-serif font.

# EXHIBIT 1

**From:** CHCO-Info <[workforcereshaping@ed.gov](mailto:workforcereshaping@ed.gov)>

**Date:** April 10, 2025 at 3:39:55 PM EDT

**To:** [REDACTED]

**Subject: Official RIF notice**

Dear ED Colleague,

Please see attached official reduction in force (RIF) notice and associated documents. Additional information is forthcoming on career transition assistance sessions.

With Regard,

Jacqueline Clay

Chief Human Capital Officer



## UNITED STATES DEPARTMENT OF EDUCATION

April 10, 2025

## MEMORANDUM

TO: Hamlin, Shayla M.  
 COMPLIANCE REVIEW SPECIALIST, GS-301-11  
 FSA, MULTI-REG & FORGN SCHOOL PARTICIP SEC

FROM: Jacqueline Clay  
 Deputy Assistant Secretary  
 Chief Human Capital Officer  
 Office of Human Resources  
 Office of Finance and Operations

SUBJECT: Notice of Separation Due to Reduction in Force

A handwritten signature in blue ink that reads "Jacqueline Clay".

In accordance with the Executive Order titled *Implementing The President's "Department of Government Efficiency" Workforce Optimization Initiative*, dated February 11, 2025, it is with great regret that I must inform you that your position of COMPLIANCE REVIEW SPECIALIST, GS-301-11 is being abolished and you have been reached for reduction in force (RIF) action. This memorandum constitutes a specific RIF notice.

Effective June 10, 2025, ED will conduct a RIF within your competitive area. This action is a result of the abolishment of your position in FSA, MULTI-REG & FORGN SCHOOL PARTICIP SEC.

This RIF is in accordance with current law and regulations, which include Chapter 35 of Title 5, United States Code, 5 Code of Federal Regulations, Part 351, internal U.S. Department of Education (ED) policy, and where applicable, the governing collective bargaining agreement between AFGE and ED. In accordance with these provisions, ED will release you from your competitive level, and you do not have an assignment right to another position in your competitive area. As a result, your separation from the Federal service by RIF on June 10, 2025.

To conduct the RIF, the Office of Human Resources (OHR) prepared retention registers which listed employees in retention standing order based on civil service tenure, veterans' preference, length of Federal service and performance ratings. We used the following information to determine your retention standing as of the RIF effective date:

**Competitive Area:** ENAEEM

**Service Type:** Competitive

**Position Title, Pay Plan, Series and Grade:** COMPLIANCE REVIEW SPECIALIST, GS-301-11

**Competitive Level:** N3P

**Tenure Group:** 1, CAREER APPT OR EXC (NOT ON TRIAL PD & W/O TIME LIMIT)

**Retention Tenure/ Subgroup:** 1B

**Service Computation Date (SCD):** November 9, 2008

**Latest Three Performance Evaluations:**

Rating Performance and Pattern FY24: 3

Rating Performance and Pattern FY23: 3

Rating Performance and Pattern FY22: 3

**SCD adjusted by latest three performance ratings:** November 9, 1992

Attached to this letter is an Employee Guide to RIF Benefits which contains information regarding leave and other benefits available to employees separated by RIF, as well as information on the ED Career Transition Assistance Plan. In addition, you may authorize OHR to release your qualification information to Federal, state, and private sector agencies and organizations by completing the attached release authorization. Information regarding benefits available under the Workforce Investment Act of 1998 Program, including unemployment insurance is located at

<http://www.doleta.gov/usworkforce/WIA/planstatus.cfm>.

You may be eligible to receive severance pay. If you are eligible for severance, we will process payment upon separation. If you think you may be eligible for discontinued service or regular retirement, please see the Employee Guide to RIF Benefits for more information or contact [benefits@ed.gov](mailto:benefits@ed.gov). **Note:** You are not eligible for severance pay if you are eligible for an immediate annuity under Minimum Retirement Age (MRA) +10, optional or discontinued service retirement.

If you resign on or before the RIF effective date of June 10, 2025, ED will still consider your separation involuntary. Please be advised that you may affect your appeal rights if you resign. You are strongly encouraged to contact OHR for information if you are considering resigning during this specific notice period.

OHR staff are available to assist you by explaining this proposed action and will provide you with copies of pertinent regulations, benefits information, or other material related to this action that you may wish to review. Title 5 of the Code of Federal Regulations Part 351 contain the RIF regulations. OHR will provide a copy to you upon request. You may also inspect the appropriate retention register through the OHR. You may obtain any information in writing by sending your request to the ED RIF Team, email:

[WorkforceReshaping@ed.gov](mailto:WorkforceReshaping@ed.gov).

You may have the right to appeal this action to the Merit Systems Protection Board (MSPB). Should you elect to appeal to the MSPB, your appeal must be in writing and submitted no later than 30 calendar days after the effective date of the reduction in force action. For more information, please visit [www.mspb.gov](http://www.mspb.gov) or contact your local MSPB regional or field office (see attached). However, if you are a bargaining unit employee, you must use the negotiated grievance procedures and may not appeal to the MSPB unless you allege that the RIF action was based upon discrimination.

Alternatively, you may file an electronic appeal at <https://e-appeal.mspb.gov/>. See *How to File an Appeal* at <http://www.mspb.gov/appeals/appeals.htm>. If you file an appeal the MSPB must serve an acknowledgement order to the following address:

Office of the General Counsel,  
U.S. Department of Education  
400 Maryland Ave, SW  
Washington, DC 20202

If you believe this action is because of a prohibited personnel practice other than discrimination based on your race, color, religion, sex, national origin, age, disability, marital status, or political affiliation, you may seek corrective action with the Office of the Special Counsel (OSC). Your decision to file an MSPB appeal or to seek corrective action from the OSC is exclusive and irrevocable. See [Prohibited Personnel Practices Overview](#) for more information about seeking corrective action.

If you believe this action is because of race, color, religion, sex (including pregnancy), national origin, physical disability, genetic information, or age, you may file a complaint with Office of Equal Employment Opportunity Services by email at [ODS\\_OEEOS@ed.gov](mailto:ODS_OEEOS@ed.gov). To initiate a complaint, you must contact an ED Equal Employment Opportunity Counselor within 45 days of the effective date of this action.

This RIF action is not a reflection upon your performance or conduct. It is solely due to the reduction in the number of positions as described earlier in this letter. ED appreciates the service you have rendered. We deeply regret that this decision affects you, and we recognize the difficulty of the moment.

**Attachments:**

RIF Information Sheet  
Employee Guide to RIF Benefits  
ED Placement Programs  
Reemployment Priority List Registration Form  
Authorization to Release Qualifications Information  
Severance Pay Information  
MSPB Appeal Offices Locations

Sent by email to: [REDACTED]

No hard copy to follow

## **Authorization to Release Qualifications Information**

To assist separating personnel in securing employment, the US Department of Education (ED) wishes to convey qualifications information to interested employers. The qualifications information, provided by you may be in the form of a resume or other format. The information provided will be disclosed to public and private employers (including Federal, State and local employment agencies and outplacement agencies and public and community service agencies). Provision of this information is voluntary. In order to have your qualifications information conveyed to potential employers, you must read and sign the following:

### **Privacy Act Notice**

I authorize ED to disclose information regarding my employment qualifications to public and private employers. I will provide ED with qualifications information prior to my separation date, through submission of materials as provided above. I understand that this authorization is voluntary, and a signed copy must be on file before ED can disclose my information to any of the potential employers referenced above. If I choose to rescind this authorization in the future, I will notify ED, in writing.

Please sign and return to [WorkforceReshaping@ed.gov](mailto:WorkforceReshaping@ed.gov).

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Employee Name

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Employee's Signature

Date

**U.S. Department of Education  
Career Transition Assistance Plan**

## **I. Career Transition Services**

The U.S. Department of Education (ED/agency) Career Transition Assistance Plan (CTAP) is built on ED's commitment to assist its employees in making a successful career transition when downsizing is necessary. The program emphasizes employee empowerment and the building of career search skills.

### Types of Career Transition Services

Special Services -- Briefings on the career transition program/services, and other workshops/briefings/seminars on topics of interest (such as unemployment compensation and related benefits, retirement seminars, job search strategies, resume/job application development, interviewing techniques, networking, stress management, financial planning, etc.) will be offered as appropriate.

Career Transition Program -- ED employees are identified to assist employees in the career transition process. The program assists employees in developing a career objective, job-search skills and resources (resumes, application forms, interviewing skills, etc.), job leads development and follow- through, and helping the employee find sources of any special help they may need (financial, emotional).

Employee Assistance Program --This program provides counseling and/or referral for a broad range of personal problems that may affect employees. Because of the degree of stress that results from job loss and/or career transition, the services available through this program can be particularly valuable to employees affected by downsizing.

### Use of Facilities and Services

ED employees who receive RIF separation notices or are otherwise scheduled for involuntary separation receive first priority in use of facilities and services. A schedule of virtual and onsite career transition sessions is forthcoming.

ED management will support career transition activity to ensure that individual employee career transition needs are addressed on a case-by-case basis. Every effort will be made to ensure that employees have the opportunity to conduct career transition activities in such a way as to make a satisfactory transition.

### Retraining

ED will pursue retraining of surplus or displaced employees whenever appropriate and feasible. In individual cases, employees may request retraining through [workforcereshaping@ed.gov](mailto:workforcereshaping@ed.gov). Management may approve such requests if funding, work

demands, and space permit. In addition, ED will work with employees through the career transition program to identify other retraining options available (such as funding available through the Workforce Innovation and Opportunity Act).

#### Services for Employees in Remote Locations

Employees in all locations nationwide may participate in the career transition program. Career Transition Services will be made available to all employees electronically and through direct contact.

#### Services for Employees with Disabilities

Employees with disabilities will receive assistance from the career transition program in identifying special programs and services for disabled employees. Necessary accommodations will be made to assist disabled employees in their career transition efforts.

#### Role of the Employee Assistance Program (EAP)

ED's EAP will be available to provide support, counseling and referral of employees as needed.

The [Employee Assistance Program \(EAP\)](#) and [WorkLife4You Program](#), provided by Federal Occupational Health (FOH), are available 24 hours a day, 7 days a week at 1-800-222-0364 (TTY: 1-888-262-7848) or at [www.FOH4you.com](http://www.FOH4you.com) or [www.worklife4you.com](http://www.worklife4you.com) (new user registration code: ED) at no cost to you.

#### Merit-Based Principles

ED's career transition plan shall be administered without regard to: political, religious, or labor organization affiliation or non-affiliation; marital status; race; color; sex;; national origin; non-disqualifying mental or physical disabilities; age; or other non-merit factors.

## **II. Placement Programs**

#### Clearing Placement Programs

All incoming SF-52 *Requests to Hire* will be reviewed by the designated HR Placement Program Coordinators (PPCs). The coordinator(s) will attach a clearance sheet to every SF-52. All hiring must be cleared before the action can be taken. The SF-52 will then be sent to the appropriate specialist, who will discuss the request with the appropriate manager(s) to identify recruitment plans and KSAs. The specialist is responsible for clearing the action with the PPC.

#### Agency CTAP

If there are current CTAP eligibles in ED (i.e., ED employees in a RIF notice period), then every vacancy subject to the internal CTAP (as defined by the regulations) will be announced in the appropriate commuting area on USAJOBS.gov. It is permissible for a merit promotion announcement to be issued concurrent with CTAP advertising. If no well-qualified CTAP eligibles are found, then recruitment outside the agency may proceed (RPL, then Interagency CTAP).

All vacancy announcements issued that are subject to CTAP will contain clear statements that special selection priority will be given to ED CTAP eligibles, and the position will not be filled with any other agency candidate if well-qualified agency CTAP eligibles apply.

The appropriate specialist will receive applications and determine who meets minimum qualifications. The specialist will then determine which are well-qualified by comparing applications to the crediting plan. To be well-qualified, the applicant must meet or exceed the fully successful level for each desirable KSA. The specialist will document the rating of each applicant, advise the applicant in writing and refer "borderline" cases to the PPC for a second opinion. The specialist will prepare the certificate of well-qualified CTAP applicants. A method for tracking CTAP certificates will be established by the PPC and updated as CTAP certificates are issued.

If more than one well-qualified applicant is referred to the selecting official, the selecting official may choose any of the certified candidates (there will be no priority given to employees from any particular organization).

If an employee is determined to be less than well-qualified for a vacancy applied to during the RIF notice Period, a second review of his or her application will be conducted by a human resources specialist not involved in the original rating process. The PPC will send the employee a letter explaining the results of this determination.

Applicants may be considered for positions with a different type of work schedule than their current position if they choose to apply. However, declining any offer made through the agency CTAP means the loss of special selection priority under the agency CTAP, even if a full-time employee declines a part-time position.

Applicants who decline an offer made under the program will be removed from the agency CTAP. If they decline a reasonable offer (as defined in 5 CFR 536.206, 5 CFR 550.703, and 5 CFR 330.203), they will lose eligibility for certain benefits such as discontinued service retirement, grade retention, severance pay and RPL consideration. Therefore, an employee who declines a CTAP offer orally must be given a written offer which explains the consequences of declining the offer and the employee must decline in writing.

#### Reemployment Priority List (RPL)

ED maintains an RPL for competitive service employees in accordance with the current regulations and will continue to do so in order to give appropriate rehiring priority to

employees separated by RIF.

The PPC will be responsible for taking RPL applications, determining qualifications, and issuing RPL certificates before a manager may hire from outside ED.

#### Interagency Career Transition Assistance Plan

When clearance of the Interagency Career Transition Assistance Plan (ICTAP) is required, we will announce the position on USAJOBS.gov. Job opportunity announcements will include a clear statement that applications must be received or postmarked by the closing date in order to be considered. The PPC must keep track of applicants who decline ED offers under ICTAP and ensure that they are not considered for other ED positions filled through ICTAP.

#### Excepted Service and Priority Reemployment List (PRL)

For excepted service employees who have received a notice of separation by RIF, the employee has selection priority for permanent excepted service positions in the same agency that are located within the same local commuting area as the employee's current position. The position to which the employee is appointed must have the same appointing authority (for example, Schedule A or Schedule B) as the excepted service position from which the employee is being involuntarily separated.

#### Review and Reporting

The PPC will be responsible for reporting on the internal and interagency CTAPs as required by regulations.

#### Repromotion Program

The PPC will be responsible for tracking all involuntary downgrades and making referrals under the repromotion program whenever merit promotion procedures are used to fill a position.

#### Vacancies

Positions covered by this plan are competitive service positions lasting 121 days or more.

**FEDERAL EMPLOYEE  
BENEFITS FOR THOSE  
AFFECTED BY  
REDUCTION IN FORCE**

## Reduction in Force — Benefits

There are a variety of potential benefits available to employees facing separation because of Reduction in Force (RIF). The information presented in this Guide is intended to provide an overview of how RIF affects various benefits and entitlements of a federal employee. The information is general and cannot possibly cover every circumstance. It is not necessarily applicable to every Federal employee. If you need specific information or more details, please contact the Office of Human Resources at [Workforcereshaping@ED.gov](mailto:Workforcereshaping@ED.gov).

### Benefits for Separated Employees

#### *Severance Pay*

Severance pay is available to you if you are involuntarily separated, provided that you do not refuse an offer of a position that is (1) in the same commuting area, (2) in the same agency, and (3) no more than two grades lower than your current grade level. In addition, you must be serving under a qualifying appointment\*, have a regularly scheduled tour of duty, have employed at least 12 continuous months of service, and you cannot be eligible for an immediate annuity as a federal employee or as a retired member of the armed forces. You also cannot be receiving workers' compensation benefits for wage loss due to an on-the-job injury.

\*A qualifying appointment is generally defined as (1) a career or career-conditional appointment in the competitive service or the equivalent in the excepted service; (2) an excepted appointment without time limitation, except under Schedule C or equivalent; (3) a time-limited appointment (including a series of time-limited appointments by the same agency without any intervening break in service) for full-time employment that takes effect within 3 calendar days after the end of one of the qualifying appointments listed above.

#### *Computation of Severance Pay*

Only civilian service is creditable for severance pay. You are entitled to 1 week's basic pay for each year of civilian service up through 10 years, plus 2 weeks' basic pay for each year of creditable service beyond 10 years. In addition, an age adjustment allowance of 2.5 percent is added for each full quarter of a year you are over 40 years of age. The maximum amount of severance pay eligibility is one year's salary (52 weeks). (This is a lifetime limitation; thus, any severance pay you received in the past is taken into account in applying the limit.) Severance payments are equal to your rate of basic pay at separation and are paid out at regular pay period intervals (usually biweekly) until the severance pay is exhausted. The only deductions made from severance pay are taxes, social security (if applicable), and Medicare.

#### *Unemployment Compensation*

The unemployment insurance program for Federal employees is administered by the Department of Labor through State governments. States, including the District of Columbia, determine the eligibility for benefits and the amounts to be paid to unemployed individuals. The program provides a weekly income for a limited period of time. The length of time is determined by the

jurisdictional State's law. A separated employee should file a claim for benefits at his or her State Employment Service office. State offices also allow you to register for potential employment opportunities. You must provide them with your social security card, official notice of separation or non-pay status (Standard Form 50) and specific RIF notice letter and any other additional information as required. The Department of Labor's web site is <http://www.doleta.gov>.

### ***Retraining Opportunities***

Many states offer excellent opportunities for displaced employees to take various types of training through government funding to help them qualify for jobs. This may include the opportunity to train for a new career field.

For information on training or retraining opportunities, contact your local State employment services department and ask about training/retraining possibilities under the Workforce Investment Act of 1998. The U.S. Department of Labor administers a dislocated worker program to assist laid off workers who are unlikely to return to their previous industry or occupation. The dislocated worker program authorizes a wide range of services to help individuals obtain meaningful re-employment. These services may include assessments of skills and interests, job development, counseling, job search assistance, career exploration, and occupational skills retraining, like computer training.

States and local grantees decide on the particular mix and availability of services. Information on job training, resume writing, employment assistance is available for each state and territories and can be obtained at: <http://www.doleta.gov/usworkforce/WIA/planstatus.cfm>.

### ***Unused Annual Leave***

All civilian employees covered by annual leave laws are entitled to receive a lump sum payment for accrued annual leave when separated from the Federal Government. In some cases, employees close to retirement eligibility may be able to use annual leave to qualify for retirement benefits. See the "Retirement" section later in this guide for more information.

### ***Unused Sick Leave***

There is no payment for unused sick leave. However, if you are separated from the Federal Government, you are entitled to have your sick leave restored to your sick leave account if you are reemployed in the Federal Government. All unused sick leave is added to the total service of an employee who is eligible for an immediate annuity under the Civil Service Retirement System (CSRS) and Federal Employees Retirement System (FERS).

### ***Federal Employees Health Benefits Program (FEHBP)***

#### ***Separated Employees Only:***

After separation, an employee not eligible for an immediate annuity can continue health insurance free for 31 days. The employee may then elect to continue receiving benefits under FEHB, by enrolling in Temporary Continuation of Coverage (TCC). However, this request for continued coverage is not automatic--it must be requested in writing within 60 days of separation

(or within 60 days of receiving a notice from the agency that FEHB coverage is terminating) and the employee must pay their own share, the government's cost, and an additional 2% administrative fee (this totals 102 percent of the cost). This temporary extension of coverage can only last for up to 18 months. Dependents of employees may carry this coverage for up to 36 months. An employee may also convert to a private plan.

Another option that may be available to you for health care coverage is the Patient Protection and Affordable Care Act (ACA) coverage. The ACA did not eliminate or change the TCC rules; however, it is an alternative approach to health care coverage. To learn more about the ACA including the health insurance marketplace, please visit [www.healthcare.gov](http://www.healthcare.gov).

### ***Federal Employees Group Life Insurance (FEGLI) Program***

#### ***Separated Employees Only:***

Separated employees are provided free FEGLI coverage for 31 days. If you separate and you are not eligible for an immediate annuity, you may convert all or part of the life insurance to an individual policy without having to take a medical examination. You may purchase an individual policy from any eligible insurance company (choices are provided by FEGLI) and this is considered a private transaction between you and the company. You pay the entire premium of the conversion policy, and the conversion must be made within 31 days after the effective date of the separation. Upon separation, you will be provided with a form to make this election.

### ***Thrift Savings Plan (TSP)***

#### ***Withdrawing Money:***

Employees who separate from Federal service for more than 31 days may choose to either leave their money in their TSP account or to withdraw the vested TSP account balance. There are several options for withdrawal:

1. If your account balance is under a certain amount (currently \$200 or less), the TSP Service Office will notify you and your account balance will be paid to you automatically in a single payment, unless you request that it be retained or you select another withdrawal option.
2. After separation from Federal service, you may:
  - Leave your entire account balance in the TSP and make a withdrawal decision later. The account will continue to draw interest and you can continue to move the money around between the investment funds.
  - Transfer your account balance to an Individual Retirement Account (IRA) or other eligible retirement plan.
  - Elect a life annuity.
  - Elect to receive a single lump sum payment.
  - Elect to receive a series of equal monthly payments.
  - Elect any combination of the options specified above (a mixed withdrawal).

**Special Note:** Any funds paid directly to you from TSP may be taxable. Also, a 10 percent penalty will be charged for early withdrawal if you separate before the year in which you attain age 55.

Otherwise, if you are over age 59 1/2, you will not be subject to the 10% early withdrawal penalty. Options are outlined in detail in the booklets titled, "Distributions" dated March 2025 and "Tax Rules about TSP Payments" dated January 2024. To request a TSP withdrawal or distribution after you leave federal service, log in to My Account to begin the request or contact the ThriftLine at 1-877-968-3778.

### ***Retirement Benefits***

Most Federal employees who were first hired before January 1, 1984, are covered by CSRS. Most employees first hired on or after January 1, 1984, are automatically covered by FERS.

### ***Refunds***

If you separate from Federal employment before completing a minimum of 5 years of creditable civilian service, you are not eligible to receive optional or deferred annuity benefits under CSRS or FERS. If you receive a refund of retirement deductions under CSRS and FERS, you may, after reemployment with the Federal Government, repay the amount refunded plus interest so that the period of service covered by the refund may be included in the computation of annuity benefits. (See an HR representative for more details about a refund.) A separated employee does not have to take a refund. Interest is paid on all funds in a FERS account, while CSRS employees receive no interest for accounts more than 5 years old. Taxes have already been paid on the deductions themselves, so no further taxes will be withheld.

### ***Deferred Annuity***

If you separate from the Federal service after completing at least 5 years of creditable civilian service, but before becoming eligible for an immediate annuity, you are entitled to a deferred annuity at age 62 under both CSRS and FERS. If you are covered by FERS, you may be eligible for a deferred annuity when you reach the following conditions: age 62 with 5 years of civilian service; at age 60 with 20 years of service; at your minimum retirement age with 30 years of service; and at your minimum retirement age with at least 10 years of service. The MRA + 10 condition is subject to a reduced benefit amount. (Consult an HR representative for more information/details on this annuity.)

### ***Using Annual Leave to Reach Eligibility***

If you are scheduled for RIF separation, you may use your accumulated annual leave to remain on an agency's rolls past the RIF effective date if doing so allows you to reach your first retirement eligibility date. You must have enough annual leave to cover the period from the RIF effective date to the first date you meet the minimum age and service criteria for CSRS or FERS retirement (as applicable). You must meet the other eligibility requirements for optional or discontinued service retirement as described below.

The accumulated annual leave balance generally includes all annual leave in your account as of the RIF effective date, plus the annual leave earned while on leave between the RIF effective date through first retirement eligibility date. Employees wishing to exercise this option should check with their Human Resource office for the necessary steps to take.

### ***Immediate Annuity (CSRS)***

If you are covered under CSRS and have been for at least 1 of the last 2 years before your separation, you are eligible for an immediate annuity if you meet the following minimum age and service requirements:

#### ***Optional Retirement:***

- Age 62 and 5 years creditable civilian service.
- Age 60 and 20 years total creditable service.
- Age 55 and 30 years total creditable service.

#### ***Discontinued Service or Early Retirement:***

- Age 50 and 20 years total creditable service.
- Any age and 25 years total creditable service.

The CSRS annuity of an employee who retires before age 55 is reduced by 2 percent for each year the employee is under age 55 at the time of retirement.

You are eligible for discontinued service retirement under both CSRS and FERS only if you are reached for an involuntary action (such as job abolishment or reassignment to a position in a different commuting area), and you do not receive an offer of another position in the same local commuting area that is within two grades of your present position.

### ***Immediate Annuity (FERS)***

If you are covered under FERS, you are eligible for an immediate annuity if you meet the following minimum age and service requirements:

#### ***Optional Retirement:***

- Age 62 and 5 years creditable civilian service.
- Age 60 and 20 years total creditable service.
- Minimum retirement age and 30 years total creditable service.
- Minimum retirement age and 10 years of total service (\*reduced benefit amount).

The minimum retirement age for FERS employees born before 1948 is 55, but gradually increases from 55 to 57 for employees born between 1948 and 1970. Also, the MRA + 10 FERS annuity is reduced by 5 percent for each year the employee is under age 62.

***Discontinued Service /Early Retirement:***

- Age 50 and 20 years total creditable service.
- Any age and 25 years total creditable service.

There is no annuity reduction in FERS for employees who retire on a discontinued service or early annuity under the age of 55. Transferees with a CSRS annuity component will have the CSRS portion of the annuity reduced by 2 percent per year if he or she is under age 55.

***MRA + 10 Postponed Annuity***

If you are covered under FERS and upon separation, you are at your minimum retirement age and you have 10 years of service, you can postpone your MRA+ 10 annuity and receive it at some point in the future to eliminate or lessen the age reduction to the annuity. You will be able to pick up your FEHB and FEGLI coverage when you start your postponed annuity, provided you met the 5-year requirement of having this coverage upon separation.

## U.S Merit Systems Protection Board - Contacts and Locations



### Headquarters, Washington, DC

1615 M Street, NW Washington, DC 20419 <a href="#">map / directions</a>	(202) 653-7200 - telephone (202) 653-7130 - fax <a href="mailto:mspb@mspb.gov">mspb@mspb.gov</a> - email
Petition for Review (PFR) Status Inquiries	<a href="#">Email</a> your name & docket number (202) 653-7200 - telephone

PFR Mediation Appeals Program (MAP)	(202) 653-6772 - telephone <a href="mailto:regionaloperations@mspb.gov">regionaloperations@mspb.gov</a>
<p>If you have general questions about the MSPB's regulations or procedures, you may contact our office at (202) 653-7200 or by email at <a href="mailto:mspb@mspb.gov">mspb@mspb.gov</a>. If you would like to speak in person to a member of the Clerk's office, you must first schedule an appointment by calling or emailing our office. The Clerk's Office may not be able to accommodate requests for same day appointments. Please note that because of the Board's independent, quasi-judicial functions, we cannot provide advisory opinions or advice on your particular situation.</p>	
Accessibility and Section 508 Compliance Program Manager	<a href="#">Dennis Oden</a> (771) 210-1648
Accounting Officer	<a href="#">Vacant</a>
Budget Officer	<a href="#">Melissa Jenner</a> (771) 210-1522
Contracting Officer	<a href="#">Thelma Torres</a> (202) 653-6772
EEO Director and Requests for Reasonable Accommodation	<a href="#">Jessica Lang</a> (771) 210-1627
Facilities Officer	<a href="#">Stephen Smith</a> (771) 210-1482
FOIA Service Center	<a href="mailto:foia@mspb.gov">foia@mspb.gov</a> (202) 653-6772
General Counsel	<a href="#">Allison Boyle</a> (202) 653-6772 - Telephone, (202) 653-6203 - Fax
Inspector General	Please visit: <a href="https://www.mspb.gov/publicaffairs/ig.htm">https://www.mspb.gov/publicaffairs/ig.htm</a>
Legislative Counsel	Lance Seibenhener <a href="mailto:legislativecounsel@mspb.gov">legislativecounsel@mspb.gov</a> (771) 210-1582 - Telephone, (202) 653-6203 - Fax

MSPB Studies	<a href="mailto:Studies@mspb.gov">Studies@mspb.gov</a> (202) 653-6772
Public Affairs	<a href="mailto:mspb@mspb.gov">mspb@mspb.gov</a> (202) 653-7200
Public Financial Disclosure Reports or Other Covered Records	<a href="mailto:Ethics@mspb.gov">Ethics@mspb.gov</a>

## MSPB Headquarters -- Office of Regional Operations

Director of Regional Operations	Laura Albornoz
1615 M Street, NW Washington, DC 20419 <a href="#">map / directions</a>	(202) 653-6772 - telephone <a href="mailto:regionaloperations@mspb.gov">regionaloperations@mspb.gov</a>

## Regional and Field Offices

<b>Atlanta Regional Office</b>	
401 W. Peachtree Street, NW 10th Floor Atlanta, GA 30308-3519 <a href="#">map / directions</a>	(404) 730-2751 - telephone (678) 804-4646 - fax <a href="mailto:atlanta@mspb.gov">atlanta@mspb.gov</a>
Chief Administrative Judge	Thomas J. Lanphear
Appellate Jurisdiction	Alabama, Florida, Georgia, Mississippi, South Carolina, Tennessee
Videoconferencing	<a href="#">John Aretz</a>

<b>Central Regional Office</b>	
230 South Dearborn Street	(312)353-2923 - telephone 312-273-6477 - fax

31st Floor Chicago, IL 60604-1669 <a href="#">map / directions</a>	<a href="mailto:chicago@mspb.gov">chicago@mspb.gov</a>
Chief Administrative Judge	Vacant
Appellate Jurisdiction	Illinois, Indiana, Iowa, Kansas City (KS), Kentucky, Michigan, Minnesota, Missouri, Ohio and Wisconsin
Videoconferencing	<a href="#">Pamela Jackson</a>
<b>Washington DC Regional Office</b>	
Washington DC Regional Office 1901 S. Bell Street Suite 950 Arlington, Virginia 22202 <a href="#">map / directions</a>	(703) 756-6250 - telephone (703) 756-7112 - fax <a href="mailto:washingtonregionaloffice@mspb.gov">washingtonregionaloffice@mspb.gov</a>
Chief Administrative Judge	Jeremiah Cassidy
Appellate Jurisdiction	Washington, DC, Maryland (counties of Montgomery and Prince George's), North Carolina, Virginia, and all overseas areas not otherwise covered
Videoconferencing	<a href="mailto:washingtonregionaloffice@mspb.gov">washingtonregionaloffice@mspb.gov</a>
<b>Northeastern Regional Office</b>	
1601 Market Street Suite 1700 Philadelphia, PA 19103 <a href="#">map / directions</a>	(215) 597-9960 - telephone (215) 731-3962 - fax <a href="mailto:philadelphia@mspb.gov">philadelphia@mspb.gov</a>
Chief Administrative Judge	Vacant
Appellate Jurisdiction	Connecticut, Delaware, Maine, Maryland (except Montgomery and Prince George's counties), Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virgin Islands, and West Virginia

Videoconferencing	<a href="#">Dennis Matthews</a>
<b>Dallas Regional Office</b>	
1100 Commerce Street Room 620 Dallas, TX 75242-9979 <a href="#">map / directions</a>	(214) 767-0555 - telephone (214) 767-0102 - fax <a href="mailto:dallas@mspb.gov">dallas@mspb.gov</a>
Chief Administrative Judge	Joel Alexander
Appellate Jurisdiction	Arkansas, Louisiana, Oklahoma and Texas
Videoconferencing	<a href="#">Ann Chisolm</a>
<b>Western Regional Office</b>	
1301 Clay Street, Suite 1380N Oakland, CA 94612-5217 <a href="#">map / directions</a>	(510) 273-7022 - telephone (510) 273-7136 - fax <a href="mailto:WesternRegionalOffice@mspb.gov">WesternRegionalOffice@mspb.gov</a>
Chief Administrative Judge	Sara Snyder
Appellate Jurisdiction	Alaska, California, Hawaii, Idaho, Nevada, Oregon, Washington and Pacific overseas
Videoconferencing	<a href="#">Western Regional Office</a>
<b>Denver Field Office</b>	
165 South Union Boulevard Suite 318 Lakewood, CO 80228-2211 <a href="#">map / directions</a>	(303) 969-5101 - telephone (303) 969-5109 - fax <a href="mailto:denver@mspb.gov">denver@mspb.gov</a>
Chief Administrative Judge	Stephen Mish
Appellate Jurisdiction	Arizona, Colorado, Kansas (except Kansas City), Montana, Nebraska, New Mexico, North Dakota, South Dakota, Utah and

	Wyoming.
Videoconferencing	<u>Western Regional Office</u>

## REDUCTION IN FORCE INFORMATION

As an affected employee of the recently announced reduction in force (RIF), we realize your interest in understanding more about RIF procedures and how the process impacts you. The following has been prepared to assist you in better understanding RIF.

### **Use of RIF Procedures:**

An activity has the right to decide where a RIF is necessary, when it will take place, and what positions are to be abolished. Four retention factors, as implemented through the Office of Personnel Management's RIF regulations described in 5 CFR 351, are used to determine which employee is actually reached for a RIF action as a result of the abolishment of a position. These are:

1. Tenure (i.e., type of appointment)
2. Veterans Preference
3. Length of Service
4. Performance Ratings

### **Applying RIF Regulations:**

- Competitive Area – The competitive area sets the limits within which employees compete for retention and is defined based on organizational and geographic limits.
- Competitive Level – Within each competitive area, interchangeable positions are grouped into competitive levels based upon similarity of grade, series, qualifications and working conditions.
- Retention Registers – The four retention factors mentioned above are applied to positions and the competitive level becomes a retention register listing employees in the order of their retention standing.

### **Retention Factors:**

1. Tenure. In the competitive service, employees are ranked on a retention register in three groups according to their type of appointment (Note: excepted service tenure are similarly ranked):
  - GROUP I – Career employees who are not serving on probation.
  - Group II – Career employees who are servicing a probationary period and career-conditional employees.
  - GROUP III – Employees serving under a term or similar non-status appointment.
2. Veterans' Preference. Each of these groups is divided into three subgroups reflecting their entitlement to veterans' preference:

- SUBGROUP AD – Veterans’ preference eligibles with a compensable service-connected disability of 30 percent or more.
- SUBGROUP A – Veterans’ preference eligibles not included in Subgroup AD.
- SUBGROUP B – Non-veteran preference eligibles.

3. Length of Service. Employees are ranked by service dates within each subgroup. The service dates include creditable civilian and military service.
4. Performance. Employees receive extra RIF service credit for performance based upon the average of their last three annual performance ratings of record received during the four-year period prior to the date the agency issues RIF notices.

#### **Rights to Other Positions:**

Competitive service employees in Groups I or II with current performance ratings of at least minimally successful who are released from the competitive level are entitled to an offer of assignment if they have bump or retreat rights to an available position in the same competitive area and they would otherwise be separated by reduction in force. If all positions within a competitive area are abolished, bump and retreat rights are not applicable.

Promotion potential is not considered in filling a position under the [RIF regulations](#). A RIF offer may have less, more or the same promotion potential. Generally, assignment rights are limited to positions within three grades (or levels) of release from the position the employee occupies.

- BUMP. Bumping means displacing an employee in a lower tenure group or in a lower subgroup within the released employee’s own tenure group.
- RETREAT. Retreating means displacing an employee with less service within the released employee’s own tenure group and subgroup.

#### **RIF Notices:**

Employees are entitled to at least 60 days specific written notice in a RIF.

#### **Additional Information:**

If you desire additional or more detailed information concerning RIF, please contact the Office of Human Resources at [Workforcereshaping@ED.gov](mailto:Workforcereshaping@ED.gov).



**U.S. DEPARTMENT OF EDUCATION**  
**REGISTRATION FORM - REEMPLOYMENT PRIORITY LIST**

**INSTRUCTIONS:**

This form is to be submitted through the servicing Human Resources office to the attention of the Priority Placement Coordinator (PPC) at [Workforcereshaping@ed.gov](mailto:Workforcereshaping@ed.gov), along with the following attachments:

- A copy of the employee's updated resume;
- The employee's most recent SF-50 showing current position, grade level, promotional potential, and duty location;
- If applicable, the notice of separation by Reduction-in-Force (RIF) or Certificate of Expected Separation (CES); and
- If applicable, documentation showing recovery from a compensable injury and when workers' compensation ceased.

**SECTION I - IDENTIFICATION**

Name of Employee

Phone Number

Email Address

Title, Series, and Grade of your current position or the former position from which you were removed

Have you received a RIF notice?  Yes  NoHave you been separated by RIF?  Yes  No

Separation Date, if applicable:

Duty Location on Separation:

Have you recovered after a compensable injury?  Yes  No

Date worker's compensation ceased, if applicable:

**SECTION II - JOB AVAILABILITY**

Please indicate below the series and grades of positions for which you are qualified and will accept referrals. Your Human Resources office must certify that you are qualified for the position(s), series, and grade level(s) you select, in addition to positions at the same representative rate and work schedule as the position from which you were separated.

Please indicate if you are available for the following types of employment: (Please check all that apply)

- Full-time
- Part-time
- Temporary (3 to 12 months)

**FOR EMPLOYEE:**

I certify that I am available for the positions, grades and types of employment I have selected above. I will notify the PPC in writing of any significant changes in the information provided above. I further understand that any or all of the information contained herein can be made available to prospective employers both within and outside the Department. This information is requested pursuant to 5 CFR 330. I understand that if I fail to permit release of this information, I will not be given consideration for the program.

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**FOR PRIORITY PLACEMENT COORDINATOR:**

I certify that the employee is qualified for the types of positions, series, and grades for which registered. I further certify that the information supplied as to employee's current or last appointment and tour of duty is correct. I understand that I must enroll the employee on the RPL no later than 10 calendar days after receipt of this package. The employee's current status is: (Choose one)

- Separated by RIF
- Under Specific Notice of Separation by RIF
- In a position targeted for abolishment within 90 days
- Recovered from a compensable injury

PPC Signature: \_\_\_\_\_

Date: \_\_\_\_\_

PPC Email: \_\_\_\_\_

## **SEVERANCE PAY ELIGIBILITY REQUIREMENTS**

- Be a part-time or full-time employee
- Be removed from Federal service by involuntary separation
- Have completed at least 12 months of continuous service
- Not entitled to an immediate annuity (must not currently be receiving Federal retirement pay or be eligible to receive it)
- Not be receiving injury compensation
- Not have declined a reasonable offer